

DOCKET NO: 235016US26



IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :
JEAN-PASCAL HIRT, ET AL. : EXAMINER: ROY, ANURADHA
SERIAL NO: 10/674,491 :
FILED: OCTOBER 1, 2003 : GROUP ART UNIT: 3736
FOR: AN EVALUATION OR :
DIAGNOSTIC KIT :

RESPONSE TO RESTRICTION REQUIREMENT

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

In response to the Restriction Requirement dated November 9, 2005, Applicant provisionally elects Group I, Claims 1-25, 30-56, 61-70 and 71-79, directed to a diagnostic kit comprising of a plurality of applicators containing different substances. Applicant makes this election based on the understanding that Applicant is not prejudiced against filing one or more divisional applications that cover the non-elected claims.

Accordingly, it is respectfully requested that a full examination on the merits of the present application be conducted.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

Steven P. Weihrouch
Attorney of Record
Registration No. 32,829

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 06/04)

Philippe J.C. Signore
Registration No. 43,922



Docket No.: 235016US26



ATTORNEYS AT LAW

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

RE: Application Serial No.: 10/674,491
Applicants: Jean-Pascal HIRT, et al.
Filing Date: October 1, 2003
For: AN EVALUATION OR DIAGNOSTIC KIT
Group Art Unit: 3736
Examiner: Roy, Anuradha

SIR:

Attached hereto for filing are the following papers:

Response to Restriction Requirement

Our check in the amount of \$0.00 is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Steven P. Weihrouch

Registration No. 32,829

Customer Number

22850

(703) 413-3000 (phone)
(703) 413-2220 (fax)

Philippe J.C. Signore
Registration No. 43,922